

FILED OF JUN 11 15/27/2011

**IN THE UNITED STATES DISTRICT COURT
FOR OREGON EUGENE DIVISION**

LAWRENCE JAMES SACCATO,	§	
	§	CIVIL ACTION NO.10-06244-HO
Plaintiff, ProSe'	§	
	§	
vs.	§	AFFIDAVIT IN SUPPORT OF
	§	MEMORANDUM TO THE COURT
DAVIS LAW FIRM,	§	OF THE VIOLATION OF THE LAW
	§	BY US BANK, NATIONAL
Defendant	§	ASSOCIATION N.D.
	§	
U.S. BANK NATIONAL	§	(Unlawful Debt Collection
ASSOCIATION N.D.	§	Practices under 15 USC 1692
	§	<i>et. seq.</i> , and ORS 646.639 <i>et. seq.</i>)
Co-Defendant	§	(Unlawful Fair Credit Reporting
	§	under 15 USC §1681, <i>et seq</i>)
Does 1 through 10	§	

**AFFIDAVIT OF LAWRENCE JAMES SACCATO SUBMITTED IN
SUPPORT OF PLAINTIFF'S MEMORANDUM TO THE COURT
IN REFERENCE TO THE VIOLATION OF THE LAW**

I, Lawrence James Saccato, the Plaintiff in the above aforementioned case, DECLARE:

1. I am the Plaintiff in the above-entitled case.
2. This affidavit is made in support of my Notice and Memorandum to the Court.

3. Plaintiff has found that on or about February 1, 2011 that the Defendant had pulled the Plaintiff's credit report without any permissible purpose. The Defendant has continuously and flagrantly violated of the law in regards to the Fair Credit Reporting Act (FCRA) 15 USC §1681, et seq. Attached to this affidavit is Exhibit "A" consisting of 2 pages, which show how the Defendant has pulled the Plaintiff's report AFTER litigation has commenced in direct violation to the FCRA.
4. Exhibit "A" shows the Defendant AR-US Bank Na in the Equifax report, dated May 10th, 2011 and this shows how now, AFTER litigation has commenced, the Defendant accessed the Plaintiff's report. Therefore, Defendant has again broken the law by obtaining Plaintiff's information under false pretenses [15 U.S.C. § 1681q] which is fineable under title 18, United States Code, and subject to imprisonment for not more than 2 years, or both. Additionally, Defendant has also broken the law by pulling Plaintiff's credit report during litigation.
5. The copies identified as Exhibit "A" attached hereto are true and correct copies of the originals provided to the Plaintiff by Equifax Credit Reporting Agency.
6. The foregoing is within my personal knowledge, and if called as a witness, I could competently testify thereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of June, 2011, at Douglas County, Oregon.

Respectfully submitted this 2nd day of June 2011.

LAWRENCE SACCATO

Plaintiff ProSe'
Lawrence James Saccato
6387 Old Hwy 99S
Roseburg, Oregon 97471
541-784-2284 (mess)
ljsaccato@gmail

Before me, the undersigned, a Notary Public, in and for said Douglas County and State of Oregon on this 2 day of June, 2011, personally appeared Lawrence James Saccato, to me known to be the identical person who executed the within and forgoing instrument and acknowledged to me that he executed the same as his free and voluntary act.

Given under my hand and seal the day and year last written above

Valynn Currie, Notary Public

P.O. Box 3097

Winston, Oregon 97496

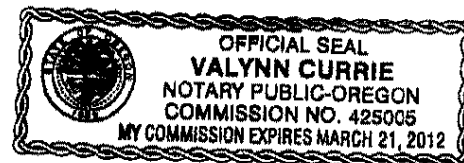
WITNESS my hand and official seal.

Valynn Currie 6/2/11 (Seal)

NOTARY PUBLIC

DATE

My commission expires: 3/21, 2012





CREDIT FILE : May 10, 2011

Confirmation # 1130040240

Personal Identification Information (This section includes your name, current and previous addresses, and any other identifying information reported by your creditors.)

Name On File: Lawrence James Saccato
Social Security # [REDACTED] Date of Birth: [REDACTED]
Current Address: [REDACTED] Reported: 04/2010
Previous Address(es): [REDACTED] 97470 Reported: 04/2011
Last Reported Employment: Lawrence J Sacc;
Previous Employment(s): [REDACTED]

ALERT(s): File Blocked For Promotional Purposes

Please address all future correspondence to:



www.investigate.equifax.com



Equifax Information Services LLC

PO Box 105285

Atlanta GA 30348



(800) 270-3435

M - F 9:00am to 5:00pm in your time zone.

In order to speak with a Customer Service Representative regarding the specific information contained in this credit file, you must call **WITHIN 60 DAYS** of the date of this credit file **AND** have a copy of this credit file along with the confirmation number.

EXHIBIT "A"

Company Information	Inquiry Date(s)
<u>AR-US Bank Na</u> 55402-4303 601 2nd Ave S Minneapolis, MN	02/01/2011 ←
ND-Equifax 30374-0250 PO Box 740250 Atlanta, GA	12/09/2010
AR-VISA Dsnb 45040-8999 9111 Duke Blvd Mason, OH	08/04/2010
ND-Lexisnexis::SUBLIMITY INS CO AGE 1000 Alderman Dr Insurance P&C Agent Alpharetta, GA 30005-4101	04/13/2010

CERTIFICATE OF SERVICE

I hereby certify that a copies of the forgoing Plaintiff's Notice and Memorandum and Affidavit in Support for Case # 10-06244-HO, was sent by First Class Mail with postage prepaid through the United States Post Office to:

Clerk of the Court
Wayne L. Morse
United States Courthouse
405 East Eighth Avenue
Eugene, Oregon 97401

Danielle J. Hunsaker,
Chris Kayser for
U.S. Bank National Association N.D.
621 SW Morrison St. Suite 1450
Portland, Oregon 97205

Robert E. Sabido, for
Davis Law Firm
805 SW Broadway 8th Floor,
Portland, Oregon 97205

They were deposited in the United States Post Office in Winston, Oregon on June 3, 2011.

LAWRENCE SACCATO
Lawrence James Saccato, Plaintiff
c/o 6387 Old Highway 99 S
Roseburg, Oregon 97471
541-784-2284 mess.
ljsaccato@gmail.com